

House Bill 353 (COMMITTEE SUBSTITUTE)

By: Representatives Carpenter of the 4<sup>th</sup>, Morris of the 26<sup>th</sup>, Cantrell of the 22<sup>nd</sup>, Momtahan of the 17<sup>th</sup>, and Williams of the 148<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to create the crime of staging a collision; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, is amended by adding a new Code section to read as follows:

"33-1-9.1.

(a) A person shall be guilty of the crime of staging a collision when, with intent to commit insurance fraud, as defined in Code Section 33-1-9, such person does any of the following:

(1) Intentionally causes or attempts to cause a motor vehicle collision; or

(2) Engages in a scheme to fabricate evidence of a motor vehicle collision that did not occur.

Staging a collision shall constitute a felony punishable by no less than one year nor more than five years imprisonment.

(b) A person shall be guilty of the crime of aggravated staging of a collision when, with intent to commit insurance fraud as defined in Code Section 33-1-9, such person commits acts in violation of subsection (a) of this Code section which result in personal injury to another. Aggravated staging of a collision shall constitute a felony punishable by no less than five years nor more than 20 years imprisonment.

(c) A person shall be guilty of the crime of making a fraudulent claim related to a staged collision when such person makes, or assists in making, a claim for insurance benefits of any type or brings, or assists in bringing, a civil lawsuit against another seeking monetary damages with knowledge that the injuries for which insurance benefits or monetary damages are sought resulted from a staged collision, or seeks to obtain any benefit to which

H. B. 353 (SUB)

27 such claimant is not legally entitled. Making a fraudulent claim related to a staged  
28 collision shall constitute a felony and shall be punishable by no less than one year nor more  
29 than five years imprisonment."

30 **SECTION 2.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law  
32 without such approval.

33 **SECTION 3.**

34 All laws and parts of laws in conflict with this Act are repealed.